

REMARKS

Claims 1-4 are pending in the application. Applicant requests reconsideration in view of the Remarks submitted herewith.

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Yang (2002/0075125) in view of Trihn et al. (US 6,392,861) ("Trihn").

For applications filed on or after November 29, 1999, this rejection may be overcome by showing that the subject matter of the reference and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person. See 35 U.S.C. 103 (c), MPEP 706.02(1)(1) and 706.02(1)(2). As noted in the clear and conspicuous statement below, Application serial number 09/838,390 and U.S. Patent Application Publication 2002/0075125 were, at the time the invention of Application serial number 09/838,390 was made, owned by the inventor Bing Lin Yang. Therefore, Yang (2002/0075125) is now disqualified as prior art and must not be used in a 35 U.S.C. 103(a) obviousness rejection. Accordingly, the various rejections of claims 1-4 under 35 U.S.C. § 103(a) should be withdrawn.

Statement Concerning Common Ownership

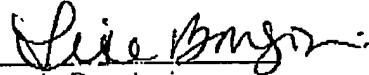
Application serial number 09/838,390 and U.S. Patent Application Publication 2002/0075125 were, at the time the invention of Application serial number 09/838,390 was made, owned by Bing Lin Yang.

In view of the foregoing, it is respectfully submitted that the instant application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorney hereby authorizes that such fee be charged to Deposit Account No. 06-1130.

Respectfully submitted,

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December 1, 2003